

EEO COMPLAINT PROCEDURES

May 2003



U.S. Department
of Transportation
Federal Aviation Administration

SOUTHWEST REGION OFFICE OF CIVIL RIGHTS

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Title 29 Code of Federal Regulations Part 1614 provides that employees or applicants for employment who believe they have been discriminated against due to race, color, religion, sex (including sexual harassment), national origin, age (40 and above), disability (physical and mental) or reprisal (for participation in an EEO related matter) may file an EEO discrimination claim. In order to do so, employees or applicants for employment must contact an EEO Counselor to receive information about the EEO complaint process and to and attempt to resolve the matter informally prior to filing a formal complaint. An EEO Counselor, or the Civil Rights Office, must be contacted within 45 calendar days of the matter alleged to be discriminatory, or, in the case of a personnel action, within 45 calendar days of the effective date of the action.

Pursuant to the Secretary of Transportation's EEO Policy Statement, and the Department of Transportation Office of Civil Rights' Procedures for Processing Complaints Based on Sexual Orientation, a claim based on sexual orientation may be initiated through contacting an EEO Counselor within the same timeframes described above.

In accordance with FAA Order 1110.125A, EEO Counselors will report allegations/incidents of verbal, graphic, written, or physical harassment and other misconduct that creates, or may reasonably be expected to create, a hostile or intimidating work environment based on a person's race, color, religion, sex, national origin, age, disability, sexual orientation, or reprisal to the FAA Accountability Board. (The Accountability Board does not include allegations of discrimination involving non-selections, disciplinary actions, promotions, performance management or other personnel actions). If the person raising the claim wishes to remain anonymous, the EEO Counselor will report the alleged harassment or misconduct to the Accountability Board in a manner that conceals the person's identity.

The employee/applicant may choose to seek early resolution through traditional EEO counseling, or through an alternate dispute resolution (ADR) method, such as mediation, offered by the EEO counselor. The 30-day pre-complaint period may be extended an additional 60 calendar days for either the counseling process or the ADR (mediation) process.

If the matter is not resolved, the EEO Counselor will provide written notice of the right to file a claim of discrimination with the Department of Transportation Office of Civil Rights (DOCR) ("Notice of Final Interview" (NFI)). A claim must be submitted in writing, signed, and postmarked within 15 calendar days of receipt of the NFI. The mailing address for Southwest Region claims is: Fort Worth Regional Departmental Office of Civil Rights; S-345, D/FW Business Center, 2150 North Access Road, Suite 260, PO Box 612288, Dallas, TX 75261-2288.

For further information on the EEO complaint process, feel free to contact our office at the numbers above or at <http://www.faa.gov/acr/EEO.htm>.

